

**MINUTES OF THE
ADMINISTRATIVE RULES REVIEW COMMITTEE**
Wednesday, October 8, 2003 – 8:30 a.m. – Room 416 State Capitol

Members Present:

Sen. Howard A. Stephenson, Senate Chair
Rep. David Ure, House Chair
Sen. Mike Dmitrich
Sen. Ed Mayne
Sen. Michael G. Waddoups
Rep. Judy A. Buffmire
Rep. Greg J. Curtis
Rep. James R. Gowans
Rep. Merlynn T. Newbold

Members Absent:

President Al Mansell

Staff Present:

Mr. Arthur L. Hunsaker, Policy Analyst
Ms. Susan Creager Allred, Associate General Counsel
Ms. Wendy L. Bangerter, Legislative Secretary

Note: A list of others present and a copy of materials can be found at www.le.utah.gov or by contacting the committee secretary, Cassandra Bauman, at 538-1032.

1. Committee Business

Chair Ure called the meeting to order at 8:43 a.m. He welcomed Rep. Greg Curtis as a new member of the Committee replacing Speaker Stephens.

Ms. Allred indicated that R590-209 Court Ordered Health Insurance Coverage for Dependents, a rule that the Committee had previously voted to propose for sunset in the 2004 General Session, was repealed by the Insurance Department.

MOTION: Rep. Newbold moved to approve the minutes of the August 20, 2003 meeting with technical corrections. The motion passed unanimously.

2. R873-22M-34 Rule for Denial of Personalized Plate Requests Pursuant to Utah Code Annotated Sections 41-1a-104 and 41-1a-411

Sen. Dmitrich suggested that if a person has a birth name and can provide a birth certificate as proof, that person should have the right to have a personal license plate bearing that name. He asked the State Tax Commission to consider it's position on this issue and bring back a proposal to the Committee in 30 days.

Mr. Kevin Park, Assistant Director, Division of Motor Vehicles, and Ms. Lynn Solarczyk, Utah State Tax Commission, stated the rule does not allow for discretion, but they will talk to the Tax Commission about considering a modification to the rule. Currently, an appeal is permitted for determining whether to grant any leeway within the bounds of the rules.

3. Discussion of Draft Legislation: Utah Scenic Byway Committee

Mr. Art Hunsaker summarized the Committee's previous discussion of the state's scenic byway process and indicated that the Committee had referred the issue to the Transportation Interim Committee. He introduced draft legislation, included in the packet, that was prepared by Transportation Interim Committee

staff to address concerns raised by the Administrative Rules Review Committee, including the need to establish the scenic byway process in statute.

Mr. Spence Kinard, Assistant Director, Division of Travel Development and John Quick, Planning Engineer, Utah Department of Transportation, noted the process for removing a designation included in the draft legislation. He explained the state vs. federal scenic byway criteria.

Ms. Linda Hull, UDOT, responded that the legislation reiterates outdoor advertising laws already in place in the state code.

MOTION: Sen. Dmitrich moved that the Committee send a letter supporting a recommendation of the draft legislation to the Transportation Interim Committee and suggested that the letter also recommend deleting lines 119-120. The motion passed unanimously.

4. Other Items / Adjourn

Mr. Hunsaker reported that the statutory authority cited by the Labor Commission for R612-2-22, Medical Records, was inadequate. He stated that the emergency rule is still on the sunset list and that a permanent rule is not in effect.

Future meetings are tentatively scheduled for Wednesday, October 22, 2003 at 9:00 a.m.; Wednesday, November 5, 2003 at 1:00 p.m.; and Tuesday, November 25, 2003 at 9:00 a.m.

MOTION: Rep. Curtis moved to adjourn the meeting. The motion passed unanimously.

Chair Ure adjourned the meeting at 9:37 a.m.